

DEPARTMENT OF ECOLOGY FACT SHEET

Draft Cleanup Action Plan & Draft Compliance Monitoring Plan

Noveon Kalama Facility
1296 Third Street NW
Kalama, Washington
ID Number: WAD092899574

The Washington State Department of Ecology (Ecology) proposes to approve a draft **cleanup action plan** and draft **compliance monitoring plan** for corrective action (cleanup) at Noveon Kalama, Inc., 1296 Third Street Northwest, Kalama WA 98625.

The draft **cleanup action plan** describes proposed cleanup actions, which apply state corrective action requirements under the Hazardous Waste Management Act, RCW 70.105 (HWMA) and the facility's existing Resource Conservation and Recovery Act (RCRA) permit. The draft **compliance monitoring plan** describes how the **cleanup action plan's** performance will be evaluated.

After reviewing public comment, Ecology will make a final decision on this **cleanup action plan** and **compliance monitoring plan**.

Under the State Environmental Policy Act (SEPA), Ecology proposes to issue a determination of non-significance (DNS) for the proposed corrective actions described in the **cleanup action plan** and **compliance monitoring plan**.

This fact sheet:

- ✓ Provides a facility overview
- ✓ Describes Ecology's procedures to make final decisions on the **Cleanup Action Plan** and **Compliance Monitoring Plan**
- ✓ Describes State and Federal Authorities for Corrective Action (cleanup) at the facility

- ✓ Describes facility history and significant past releases
- ✓ Describes measures to address past releases of hazardous substances
- ✓ Summarizes proposed final cleanup actions at the facility and compliance monitoring plan
- ✓ Describes next steps

Comment Period

On: Draft Cleanup Action Plan, Draft Compliance Monitoring Plan and Ecology's SEPA determination

Dates: July 15, 2004 through August 13, 2004

Send comments on this *Cleanup Action Plan* and *Compliance Monitoring Plan* to:

Leon Wilhelm
Hazardous Waste & Toxics Reduction
Department of Ecology, PO Box 47775
Olympia, WA 98504-7775
Email Address: leow461@ecy.wa.gov

To be accepted, comments must be postmarked or received by August 13, 2004. Hand deliver comments to the Ecology address shown on the next page.

You may review the draft **Cleanup Action Plan** and **Compliance Monitoring Plan** Monday through Saturday between noon and 5 pm at:

Kalama Library
312 North First
Kalama, WA, 98625
Phone: 360 – 673-4568

or Monday through Friday between 9 am and 4:30 pm at:

Department of Ecology
Southwest Regional Office
300 Desmond Drive
Lacey, WA 98503
Phone: (360) 407-6365 or (360) 407-6366

To receive a copy of Ecology's draft SEPA determination of nonsignificance contact Leon Wilhelm at (360) 407-6362 or leow461@ecy.wa.gov

A. Overview

The Noveon Kalama, Inc. property consists of 155 acres located northwest of Kalama, Washington between I-5 and the Columbia River (Figure 1). The site is in the Kalama Industrial Park, south of the Peavy Grain Terminal and north of the Central Port of Kalama property. On the southern thirty-five (35) acres of the property is an operating organic chemical manufacturing plant (facility).

This facility uses toluene to produce chemicals used in food preservatives, insecticides, fragrances, and pharmaceuticals. The remaining 120 acres of the property is a wetlands area. Historical releases of organic chemicals from the facility, including benzene and toluene, affect soils and groundwater below the facility and reached both the wetlands area and the Columbia River.

Noveon's RCRA permit, issued in July 2001, is jointly administered by EPA and Ecology. EPA administers the Boiler Industrial Furnace (BIF) portion for incineration of hazardous waste; Ecology administers the corrective action (cleanup) portion of the permit. This permit expires in August 2011.

The corrective action portion of the permit incorporates by reference a Model Toxics Control Act (MTCA) Agreed Order No. DE 98HW-S327 for corrective action. An Agreed

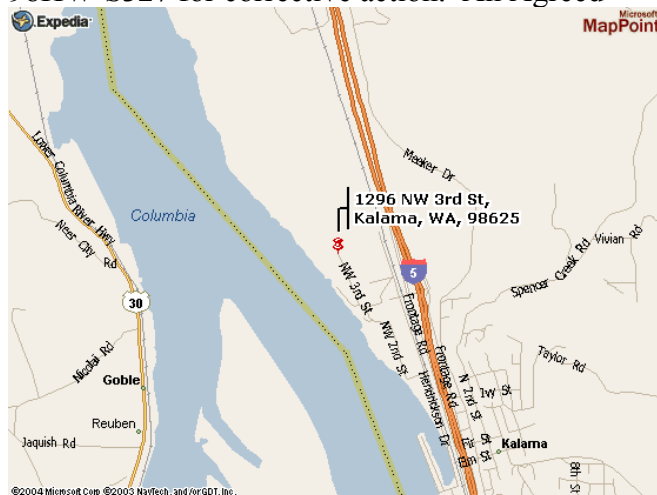


Figure 1. Facility Location in Kalama

Order is an enforceable order developed to meet the requirements of federal RCRA corrective action, the State's Dangerous Waste Management Act RCW 70.105D.050 (1) (RCW) and its Dangerous Waste Regulations (WAC 173-303), and MTCA (WAC 173-340).

The agreed order became effective in November 1998. The draft Cleanup Action Plan, the Compliance Monitoring Plan, and the Remedial Investigation and Feasibility Study were developed and conducted with Ecology oversight as required by the Agreed Order.

B. Ecology's Procedures for Reaching Final Decisions

The draft cleanup action plan and draft compliance monitoring plan undergo public review and comment. Ecology considers all public comments before making the final decisions. Regulatory requirements under the Model Toxics Control Act (MTCA) for the

public review process are in Washington Administrative Code (WAC) 173-340-600.

Comment Period

The 30-day comment period for Ecology's tentative decision to issue the Cleanup Action Plan and Compliance Monitoring Plan runs from July 15 to August 13, 2004.

See Page 1 for instructions to submit comments and/or reviewing documents.

Public Meeting Possible

If significant public interest is expressed in the draft cleanup action plan and compliance monitoring plan, Ecology will conduct a public meeting. *To request a meeting*, or to request special accommodation for the meeting, contact Leon Wilhelm by phone, letter, or email by July 25, 2004. If fewer than 10 people request a public meeting, the meeting will not be held.

To find out if the public meeting will be held and/or its date and location, contact Leon Wilhelm after July 26, 2004.

How to Participate

You may request, review, and comment on the draft cleanup action plan and compliance monitoring plan. The files Ecology used to make its tentative decision are available for review at Ecology's Southwest Regional Office. See the address on page 2.

For comments to be considered by Ecology, they must be received at Ecology by the deadline on page 1.

The most effective comments:

- ✓ Provide specific information describing what condition he or she believes is inappropriate
- ✓ Provide factual and regulatory support for the comment

- ✓ Suggest changes to fix the problem
- ✓ Include supporting material, unless Ecology already has the material. For example, if the comment references a state or federal rule on managing dangerous waste, Ecology already has that information.

If the comment references a report or letter not cited in the documents for public comment or in Ecology's files on the site, or is not a commonly available reference, then Ecology likely does not have it. In such cases, the person commenting needs to provide a copy of the reference.

Decision-Making Process

Responding to comments and testimony

Ecology will consider and respond to written comments submitted by the public and any testimony if the public hearing is held.

Final decision

After considering the comments and testimony received in a public hearing if this should occur, Ecology will make a final decision or make a new tentative decision on the Cleanup Action Plan and Compliance Monitoring Plan. Ecology will subsequently issue the Cleanup Action Plan and Compliance Monitoring Plan, modified as necessary by public comment.

Substantial changes to the Cleanup Action Plan or Compliance Monitoring Plan will require an additional public comment period under MTCA

Effective date of decision

The effective date of Ecology's decision will be the date on Ecology's letter issuing the Cleanup Action Plan and Compliance Monitoring Plan.

Environmental Review

The Department of Ecology is the State Environmental Policy Act (SEPA) lead agency for corrective action decisions at the Noveon Kalama Site. Under SEPA, the identification and evaluation of probable environmental impacts is required to develop environmentally sound proposals.

SEPA provides for the integration of the MTCA process into SEPA decision making. After evaluating relevant information, Ecology has determined that implementation of the Cleanup Action Plan and Compliance Monitoring Plan will not have a significant adverse environmental impact and has thus issued a determination of non-significance (DNS). The DNS and SEPA checklist upon which the DNS is based are included with the Cleanup Action Plan and Compliance Monitoring Plan being issued for public comment.

For more information, contact Leon Wilhelm (Ecology), at (360) 407-6362.

C. State and Federal Authorities for Corrective Action

In Washington State, both the EPA and Ecology regulate hazardous waste. Washington regulates more wastes than the federal EPA. This universe of Washington regulated wastes is called *dangerous wastes*.

The Washington State Hazardous Waste Management Act, Chapter 70.105 RCW, and the Dangerous Waste Regulations, Chapter 173-303 WAC, regulate the management of dangerous waste in Washington. WAC 173-303-800 specifies facilities that must obtain a permit. WAC 173-303-646 specifies that facilities that have had a permit to treat, store, and/or dispose of dangerous waste (or that have had releases from solid waste

management units), must still have a permit to conduct corrective action.

EPA has requirements for facilities that manage hazardous waste. The Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), and the regulations promulgated hereunder in Title 40 of the Code of Federal Regulations (CFR), regulate the management of hazardous waste nationwide.

On January 31, 1986, the State of Washington's dangerous waste management program received final authorization for the state's hazardous waste program. The State's program has also received approval for subsequent revisions to this federal program. Ecology adopted additional federal requirements that went into effect June 10, 2000. EPA authorized the state's corrective action program on November 4, 1994.

For Noveon Kalama, the corrective action portion of the facility's joint RCRA permit incorporates by reference a MTCA Agreed Order No. DE 98HW-S327 for corrective action.

The Agreed Order was issued for public comment in October 1998 and took effect in November 1998. The Cleanup Action Plan and the Compliance Monitoring Plan were developed under this Agreed Order.

D. Facility History and Past Releases of Hazardous Substances

Dow Chemical Company constructed the Noveon Kalama chemical plant in 1962. Kalama Chemical, Inc. purchased the property from Dow in 1971 and became Kalama Chemical. BC Sugar acquired partial ownership of Kalama Chemical in 1986, purchasing the remaining stock in January

1990 and acquiring total ownership of the facility.

Freedom Chemical purchased the company from BC Sugar in May 1994. Freedom Chemical sold the company to BF Goodrich Kalama in March 1998. In February 2001, Noveon, Inc. acquired the facility and renamed it Noveon Kalama, Inc. BF Goodrich Kalama, Inc. and Rogers Sugar, Ltd. (formerly BC Sugar) are the responsible parties in the Agreed Order.

The southern thirty-five acres of the facility has operated as a chemical plant using toluene as a raw material to produce benzene, benzoic acid, phenol and other chemicals used in food preservatives, plasticizers, fragrances, and pharmaceuticals.

EPA conducted a federal RCRA Facility Assessment (RFA) at Noveon Kalama in January 1989. EPA identified where hazardous substance releases may have occurred. This RFA report determined that significant releases of hazardous substances had occurred.

As a result, EPA and the facility agreed that the facility should conduct a RCRA Facility Investigation (RFI). This investigation was complete in August 1994. The RFI determined that releases of toluene, benzene, diphenyl oxide, phenol, benzoic acid and metals (arsenic and copper) had occurred and these chemicals were present in soils and groundwater under the chemical plant.

Significant releases in the West Impacted Area, located next to the Columbia River, have occurred from a former tar residue area, transfer sump, and the West Tank Farm. Significant releases from the Central Area migrated toward the wetlands north of the chemical plant. These releases were from

industrial processes and the facility's sewer system.

E. Interim Measures Undertaken to Address Past Releases of Hazardous Substances

In November 1995, Noveon built a shallow trench to intercept or catch contaminated groundwater from the upper aquifer under the chemical plant and prevent it from flowing into the northern 120-acre wetland.

In April 1997, a second trench was constructed, in two parts, next to the Columbia River to keep contaminated groundwater from reaching the Columbia River.

A soil vapor extraction system, which removes chemicals from soil, was also installed as a temporary measure and operated from May 1997 through October 1999 to remove contaminants from the soils.

Seven recovery wells, installed in 1997, capture contaminated groundwater from the intermediate aquifer under the shallow aquifer to prevent contaminants from reaching the river.

Contaminated groundwater removed by the trenches and the recovery wells is treated in the facility's wastewater treatment plant along with storm water and industrial wastewater. The resulting treated effluent is mixed with facility cooling water and discharged into the Columbia River under the facility's existing NPDES permit.

F. Proposed Final Cleanup Actions and Compliance Monitoring at the Facility

Cleanup Action Plan

Proposed cleanup actions at the facility:

- ✓ Soil vapor extraction in the most highly contaminated soils (for example, the former flare stack line and transfer sump areas) with paving or other physical barriers to protect wildlife.
- ✓ Continue use of shallow trenches (installed in 1995 and 1997) to prevent contaminated groundwater from reaching the wetlands and Columbia River.
- ✓ *In-situ* (“in place”) treatment in the Central Area using Waterloo Emitter wells to treat groundwater contaminated above cleanup levels.
- ✓ Upgrade the recovery well system installed in 1997 by adding a replacement well and installing three additional extraction wells.
- ✓ Protect the public and site workers from exposure to hazardous substances by using deed restrictions, fences, notification procedures, etc.

Compliance Monitoring Plan

The Compliance Monitoring Plan describes data collection and evaluation procedures to determine the effectiveness of the cleanup. This monitoring will start shortly after site cleanup begins.

G. What Happens Next

After considering the comments received, Ecology will make a final decision on the Cleanup Action Plan and Compliance Monitoring Plan, modified as necessary by public comment. Ecology will then issue the Cleanup Action Plan and Compliance Monitoring Plan.

Ecology, Noveon Kalama, Inc. and Rogers Sugar, Ltd. will then negotiate a consent decree or other administrative mechanism to develop design plans and specifications for the cleanup actions. The Noveon site cleanup will then begin.

HWTR
Department of Ecology
PO Box 47600
Olympia WA 98504-7600

Information on draft permits issued for public comment:
We used several mailing lists. If you receive a duplicate, please pass it on.